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*E-Filed on March 17, 2011*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE	)	Case No: 09-12960lbr
	)	Date: 4/20/11
MAHVASH MORVARI	)	Time: 10:30 am
	)	Chapter 13
Debtor.	)	Trustee Rick A Yarnall

**ANSWER/OPPOSITION TO MOTION OF US BANK NATIONAL ASSOCIATION FOR RELIEF FROM AUTOMATIC STAY FILED MARCH 14, 2011**

Debtor MAHVASH MORVARI, as represented by legal counsel, Dorothy G. Bunce, of A FRESH START hereby answers and opposes the Motion of America's Servicing Company for Relief from Stay as follows:

**ANSWER TO FACTUAL ALLEGATIONS**

Debtor admits the allegations contained in paragraphs 1, 2, and 3 of the Motion. Debtor denies all remaining factual allegations.

**AFFIRMATIVE DEFENSES**

1. This creditor has failed to comply with LR 4001(a)(2) which directs a party to communicate in good faith regarding resolution of the motion before filing a motion for relief from stay (including, as appropriate, communication with any trustee appointed in the case). This creditor provided neither debtor nor her counsel with any communication regarding this motion, which would have allowed the debtor to show that she has made payments each and every month to this creditor. As a result thereof, pursuant to such local rule, the court may award, deny, or adjust fees of counsel for noncompliance.

2. Debtor has repeatedly requested that Movant provide an accounting of the payments on this account and has asked Movant to account for the increased impound

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amounts for taxes and insurance, which it imposed (even though the actual cost of taxes and insurance have declined), and Movant has failed and refused to do so.

WHEREFORE, Debtor asks that the motion be dismissed and/or denied and that she be awarded attorney fees and costs hereof.

Dated: March 17, 2011.

**A FRESH START**

By/s/ *Dorothy G. Bunce*  
Original Signature  
Dorothy G. Bunce, Esq.  
Nevada Bar # 0756  
2037 Franklin Ave  
Las Vegas, Nevada 89104  
Attorney for Debtor

**CERTIFICATE OF SERVICE BY MAIL**

The undersigned hereby certifies that on the date shown below, I placed into the United States Mail a true and correct copy of the Answer/Opposition to Motion of America's Servicing Company For Relief from Automatic Stay filed , postage prepaid, addressed to:

America's Servicing Company  
1 Home Campus MAC# X2302-045  
Des Moines IA 50328

Rick A Yarnall  
701 Bridger Ave Ste 820  
Las Vegas, NV 89101

Tiffany & Bosco, PC  
Gregory L Wilde, Esq  
212 S Jones Blvd  
Las Vegas NV 89107

DATED: March 17, 2011.

/s/ *Dorothy G Bunce*  
Original Signature  
An employee of A FRESH START

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